

ORDINANCE No. 114518

COUNCIL BILL No. 10730a

AN ORDINANCE relating to the Traffic Code; amending Seattle Municipal Code Sections 11.14.113, 11.23.030, 11.28.020, 11.30.040, 11.72.020, 11.72.075 and 11.74.010; and adding a new Section 11.74.030, all pertaining to Commercial Loading Zones and Commercial Loading Permits.

COMPTROLLER FILE No. _____

Introduced: <u>MAY 1 1969</u>	By: <u>Williams</u>
Referred: <u>MAY 1 1969</u>	To: <u>Transportation</u>
Referred:	To:
Referred:	To:
Reported: <u>MAY 2 1969</u>	Second Reading: <u>MAY 2 1969</u>
Third Reading: <u>MAY 2 1969</u>	Signed: <u>MAY 2 1969</u>
Presented to Mayor: <u>MAY 2 1969</u>	Approved: <u>MAY 2 4 1969</u>
Returned to City Clerk: <u>MAY 2 4 1969</u>	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

(OK)

Law Department

The City of Seattle--Legislation

REPORT OF COMMITTEE

Honorable President:

Your Committee on _____

to which was referred the within Council Bill No. 10730a report that we have considered the same and respectfully recommend

Walter Dillman
Committee Chair

Law Department

The City of Seattle--Legislative Department

REPORT OF COMMITTEE

Date Reported
and Adopted

Honorable President:

Your Committee on

Transportation

to which was referred the within Council Bill No. 107302
report that we have considered the same and respectfully recommend that the same:

Be Passed

Jerette Dillman

Committee Chair

Traffic Code;
Code
30, 11.28.020,
.075 and
Section
Commercial
Loading

ing: MAY 2 1953

MAY 2 1953

MAY 2 4 1953



#10
C.B. 107302

ORDINANCE 114518

AN ORDINANCE relating to the Traffic Code; amending Seattle Municipal Code Sections 11.14.113, 11.23.030, 11.28.020, 11.30.040, 11.72.020, 11.72.075 and 11.74.010; and adding a new Section 11.74.030, all pertaining to Commercial Loading Zones and Commercial Loading Permits.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 11.14.113 of the Seattle Municipal Code (Ordinance 114251, Section 6) is amended as follows:

11.14.113 Commercial vehicle load zone.

"Commercial vehicle load zone" means a portion of a street designated by a sign and yellow paint markings or other traffic control devices that is reserved for the exclusive use of commercial vehicles or vehicles possessing a valid commercial loading ((zone)) permit.

Section 2. Section 11.23.030 of the Seattle Municipal Code (Ordinance 114251, Section 7) is amended as follows:

11.23.030 Commercial loading ((zone)) permit - Requirements.

A. The Traffic Engineer is hereby authorized to administer a system for the issuance of commercial loading ((zone)) permits and to collect fees therefor. Commercial loading ((zone)) permits shall only be issued to persons or entities that possess a current business license issued by any governmental jurisdiction. The applicant may obtain one (1) nontransferable permit for each ((commercial)) truck licensed vehicle ((registered to and/or)) operated by the company named in the business license. The permit shall be permanently affixed to the lower left hand corner of the vehicle's wind-shield. The applicant shall provide the license plate number, as well as other vehicle identification information as determined by the Traffic Engineer.

B. Permits shall be valid for one (1) calendar year. Permits issued after July 1st, of any calendar year shall have their fee reduced by fifty percent (50%).

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2 Section 3. Section 11.28.020 of the Seattle Municipal Code (Ordinance
3 114251, Section 8) is amended as follows:

4 11.28.020 Abuse of ~~((privileges for))~~ commercial loading ((zones))
5 permits.

6 A. No person shall for any valuable consideration transfer or
7 authorize the use of a commercial loading ((zone)) permit or other iden-
8 tification issued by the City
9 ~~((authorizing a vehicle to stand in a commercial load zone))~~.

10 B. Any person or entity that is issued a commercial loading permit
11 or authorization ~~((to stand a vehicle in a commercial load zone))~~ shall be
12 strictly liable for compliance with its terms and conditions and complying
13 with this subtitle. Any such permit or authorization issued shall be
14 revoked if any person or entity to whom such permit is issued or authoriza-
15 tion is granted shall:

- 16 1. Offer or agree to authorize or permit another person or entity to
17 stand a vehicle in a commercial load zone or elsewhere for any
18 monetary consideration;
- 19 2. Transfer for money the use of any permit or other identification
20 issued by the City authorizing a vehicle to stand in a commercial
21 load zone or elsewhere;
- 22 3. Allow another person or entity under his control to do as set out
23 in either B1 or B2 of this subsection; or
- 24 4. Allow a permit or other authorization issued to him to be so used.

25 C. ~~((No))~~ A new permit shall not ~~((may))~~ be issued or other authori-
26 zation granted to such person or entity for a period of one (1) year.

27 Section 4. Section 11.30.040 of the Seattle Municipal Code (Ordinance
28 111835, Section 1) is amended as follows:

11.30.040 When a vehicle may be impounded without prior notice.

A. A vehicle may be impounded with or without citation and without
giving prior notice to its owner as required in Section 11.30.060 hereof
only under the following circumstances:

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1. When the vehicle is impeding or is likely to impede the normal flow of vehicular or pedestrian traffic; or
 2. When the vehicle is illegally (~~parked in~~) occupying a truck, commercial load zone, bus, loading, hooded-meter, taxi, or other similar zone where, by order of the Director of Engineering or Chiefs of Police or Fire, parking is limited to designated classes of vehicles or is prohibited during certain hours, on designated days or at all times, and where such vehicle is interfering with the proper and intended use of such zones; or
 3. When a vehicle without a special license plate, card, or decal indicating that the vehicle is being used to transport a disabled person as defined under Chapter 46.16 RCW is parked in a stall or space clearly and conspicuously marked as provided in Section 11.72.065A whether the space is provided on private property without charge or on public property; or
 4. When the vehicle poses an immediate danger to the public safety; or
 5. When a police officer has probable cause to believe that the vehicle is stolen; or
 6. When a police officer has probable cause to believe that the vehicle constitutes evidence of a crime or contains evidence of a crime, if impoundment is reasonably necessary in such instance to obtain or preserve such evidence.
- B. Nothing in this section shall be construed to authorize seizure of a vehicle without a warrant where a warrant would otherwise be required.
- Section 5. Section 11.72.020 of the Seattle Municipal Code (Ordinance 114251, Section 5) is amended as follows:
- 11.72.020 Alley.
- No person shall stand or park a vehicle except a commercial vehicle, a vehicle displaying a valid commercial loading permit, or authorized

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2 emergency vehicle in an alley.

3 Section 6. Section 11.72.075 of the Seattle Municipal Code (Ordinance
4 114251, Section 9) is amended as follows:

5 11.72.075 Commercial load zone.

6 No person shall stop, stand or park a vehicle other than a commercial
7 vehicle or a vehicle displaying a valid commercial loading ((zone)) permit
8 in a commercial load zone during the hours the zone restriction is in
9 effect; provided, that commercial load zone restrictions are not effective
10 on Sundays or public holidays, except where otherwise indicated by
11 appropriate sign.

12 Section 7. Section 11.74.010 of the Seattle Municipal Code (Ordinance
13 108200, Section 2) is amended as follows:

14 11.74.010 Loading in alleys (~~((Commercial vehicles))~~).

15 No person shall stop, stand or park a commercial vehicle or a vehicle
16 displaying a valid commercial loading permit in any alley for any purpose or
17 length of time other than the expeditious unloading and delivery or pick-up
18 and loading of property and then in no case shall such parking for loading
19 and unloading of property exceed thirty (30) minutes.

20 Section 8. Chapter 11.74 of the Seattle Municipal Code is amended by
21 adding a new Section 11.74.030, as follows:

22 11.74.030 Commercial load zone - Usage

23 No person shall stop a commercial vehicle or a vehicle displaying a
24 valid commercial loading permit in a commercial load zone for any purpose
25 or length of time other than for the expeditious unloading and delivery or
26 pickup and loading of property. In no case shall such stopping for loading
27 and/or unloading of commercial products exceed 30 minutes. Said time and
28 loading limitations shall be in effect during the days and times displayed
on the traffic signs or marking at the zone.

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(To be used for all Ordinances except Emergency.)

Section 9... This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become law under the provisions of the city charter.

Passed by the City Council the 22nd day of May, 1989,
and signed by me in open session in authentication of its passage this 22nd day of May, 1989.

[Signature]
President of the City Council.

Approved by me this 24th day of May, 1989.
[Signature]
Mayor.

Filed by me this 24th day of May, 1989.

Attest: Norman J. Brooks
City Comptroller and City Clerk.

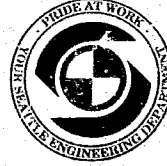
(SEAL)

Published _____

By Theresa Dunbar
Deputy Clerk.

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Seattle
Engineering Department



Gary Zarker, Director of Engineering
Charles Royer, Mayor

APR 17 1989

April 10, 1989

Honorable Charles Royer
Mayor, City of Seattle
Seattle, Washington 98104

44750

ATTN: Jim Ritch, Director
Office of Management and Budget

SUBJECT: Commercial Loading

APR 19 1989

Dear Mayor Royer:

REQUEST. We request City Council adoption of the attached ordinance.
This ordinance amends the Seattle Municipal Code relating to
Commercial Loading.

BACKGROUND. The Engineering Department has been developing the commercial loading permit process, as directed by the City Council in the 1989 Budget. As a result, there are a number of housekeeping revisions that need to be made in the Municipal Code. These changes are largely due to the Council's inclusion of parking meters for the commercial load zones and our efforts to accommodate small business concerns about the permit system.

The attached ordinance relates to the Traffic Code and amends Sections 11.14.113, 11.23.030, 11.28.030, 11.30.040, 11.72.020, 11.72.075 and 11.74.010 of the Seattle Municipal Code.

Sincerely,

GARY ZARKER
Director of Engineering

GZ/BEL:ttp

Attachment

cc: OMB
B. Fairfax, SED

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"An Equal Employment Opportunity - Affirmative Action Employer"

Seattle Engineering Department, Room 910, Seattle Municipal Building, 600 Fourth Avenue, Seattle, WA 98104, (206) 684-5000

City of Seattle

Executive Department-Office of Management and Budget

James P. Ritch, Director
Charles Royer, Mayor



COPY RECEIVED

April 19, 1989

APR 21 1989

The Honorable Douglas Jewett
City Attorney
City of Seattle

SEATTLE CITY ATTORNEY

10,520
Ally corrected as to H.S.

Dear Mr. Jewett:

The Mayor is proposing to the City Council that the enclosed legislation be adopted.

REQUESTING
DEPARTMENT: Engineering

SUBJECT: AN ORDINANCE relating to the Traffic Code; amending Seattle Municipal Code Sections 11.14.113, 11.23.030, 11.28.020, 11.30.040, 11.72.020, 11.72.075 and 11.74.010; and adding a new Section 11.74.030.

Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation to your office for review and drafting.

After reviewing this request and any necessary redrafting of the enclosed legislation, return the legislation to OMB. Any specific questions regarding the legislation can be directed to Barry Fairfax at 4-5129.

Sincerely,

Charles Royer
Mayor

by

James P. Ritch
JAMES P. RITCH
Budget Director

JR/ts/sbz

Enclosure

cc: Director, SED

TIME AND DATE STAMP

SPONSORSHIP

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY
THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:

Scott Williams

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO: _____

PRESIDENT'S SIGNATURE

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STATE OF WASHINGTON - KING COUNTY

15834

City of Seattle, City Clerk

--SS.

No.

City of Seattle

ORDINANCE 114518

AN ORDINANCE relating to the Traffic Code; amending Seattle Municipal Code Sections 11.14.113, 11.23.030, 11.28.020, 11.30.040, 11.72.020, 11.72.075 and 11.74.010; and adding a new Section 11.74.030, all pertaining to Commercial Loading Zones and Commercial Loading Permits.

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11.14.113 Commercial vehicle load zone.

"Commercial vehicle load zone" means a portion of a street designated by a sign and yellow paint markings or other traffic control devices that is reserved for the exclusive use of commercial vehicles or vehicles possessing a valid commercial loading ((zone)) permit.

Section 2. Section 11.23.030 of the Seattle Municipal Code (Ordinance 114251, Section 7) is amended as follows:

11.23.030 Commercial loading ((zone)) permit - Requirements.

A. The Traffic Engineer is hereby authorized to administer a system for the issuance of commercial loading ((zone)) permits and to collect fees therefor. Commercial loading ((zone)) permits shall only be issued to persons or entities that possess a current business license issued by any governmental jurisdiction. The applicant may obtain one (1) nontransferable permit for each ((commercial)) truck licensed vehicle ((registered to and/or)) operated by the company named in the business license. The permit shall be permanently affixed to the lower left hand corner of the vehicle's wind-shield. The applicant shall provide the license plate number, as well as other vehicle identification information as determined by the Traffic Engineer.

B. Permits shall be valid for one (1) calendar year. Permits issued after July 1st, of any calendar year shall have their fee reduced by fifty percent (50%).

Section 3. Section 11.28.020 of the Seattle Municipal Code (Ordinance 114251, Section 8) is amended as follows:

11.28.020 Abuse of ((privileges in)) commercial loading ((zones)) permits.

A. No person shall for any valuable consideration transfer or authorize the use of a commercial loading ((zone)) permit or other identification issued by the City ((authorizing a vehicle to stand in a commercial load zone)).

B. Any person or entity that is issued a commercial loading permit or authorization ((to stand a vehicle in a commercial load zone)) shall be strictly liable for compliance with its terms and conditions and complying with this subtitle. Any such permit or authorization issued shall be revoked if any person or entity to whom such permit is issued or authorization is granted shall:

1. Offer or agree to authorize or permit another person or entity to stand a vehicle in a commercial load zone or elsewhere for any monetary consideration;
2. Transfer for money the use of any permit or other identification issued by the City authorizing a vehicle to stand in a commercial load zone or elsewhere;
3. Allow another person or entity under his control to do as set out in either B1 or B2 of this subsection; or
4. Allow a permit or other authorization issued to him to be so used.

C. ((No)) A new permit shall not ((may)) be issued or other authorization granted to such person or entity for a period of one (1) year.

Section 4. Section 11.30.040 of the Seattle Municipal Code (Ordinance 111838, Section 1) is amended as follows:

11.30.040 When a vehicle may be impounded without prior notice.

A. A vehicle may be impounded with or without citation and without giving prior notice to its owner as required in Section 11.30.060 hereof only under the following circumstances:

1. When the vehicle is impeding or is likely to impede the normal flow of vehicular or pedestrian traffic; or
2. When the vehicle is illegally ((parked in)) occupying a truck, commercial load zone, bus, loading, hooded-meter, taxi, or other similar zone where, by order of the Director of Engineering or Chiefs of Police or Fire, parking is limited to designated classes of vehicles or is prohibited during certain hours, on designated days or at all times, and where such vehicle is interfering with the proper and intended use of such zones; or

Affidavit of Publication

The undersigned, on oath states that he is an representative of The Daily Journal of Commerce, a spaper, which newspaper is a legal newspaper of general n and it is now and has been for more than six months e date of publication hereinafter referred to, published in h language continuously as a daily newspaper in Seattle, nty, Washington, and it is now and during all of said time ed in an office maintained at the aforesaid place of n of this newspaper. The Daily Journal of Commerce 12th day of June, 1941, approved as a legal newspaper erior Court of King County.

office in the exact form annexed, was published in regular The Daily Journal of Commerce, which was regularly to its subscribers during the below stated period. The tice, a

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ount of the fee charged for the foregoing publication is \$, which amount has been paid in full.

Subscribed and sworn to before me on

Notary Public for the State of Washington,
residing in Seattle

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3. When a vehicle without a special license plate, card, or decal indicating that the vehicle is being used to transport a disabled person as defined under Chapter 46.16 RCW is parked in a stall or space clearly and conspicuously marked as provided in Section 11.72.065A whether the space is provided on private property without charge or on public property; or
4. When the vehicle poses an immediate danger to the public safety; or
5. When a police officer has probable cause to believe that the vehicle is stolen; or
6. When a police officer has probable cause to believe that the vehicle constitutes evidence of a crime or contains evidence of a crime, if impoundment is reasonably necessary in such instance to obtain or preserve such evidence.

B. Nothing in this section shall be construed to authorize seizure of a vehicle without a warrant where a warrant would otherwise be required.

Section 5. Section 11.72.020 of the Seattle Municipal Code (Ordinance 114651, Section 5) is amended as follows:

11.72.020 Alley.

No person shall stand or park a vehicle except a commercial vehicle, a vehicle displaying a valid commercial loading permit, or authorized emergency vehicle in an alley.

Section 6. Section 11.72.075 of the Seattle Municipal Code (Ordinance 114251, Section 9) is amended as follows:

11.72.075 Commercial load zone.

No person shall stop, stand or park a vehicle other than a commercial vehicle or a vehicle displaying a valid commercial loading ((www)) permit in a commercial load zone during the commercial load zone restriction is in effect; provided, that commercial load zone restrictions are not effective on Sundays or public holidays, except where otherwise indicated by appropriate sign.

Section 7. Section 11.74.010 of the Seattle Municipal Code (Ordinance 108200, Section 2) is amended as follows:

11.74.010 Loading in alleys ((Commercial vehicles)).

No person shall stop, stand or park a commercial vehicle or a vehicle displaying a valid commercial loading permit in any alley for any purpose or length of time other than the expeditious unloading and delivery or pickup and loading of property. In no case shall such stopping for loading and unloading of property exceed thirty (30) minutes.

Section 8. Chapter 11.74 of the Seattle Municipal Code is amended by adding a new Section 11.74.030, as follows:

11.74.030 Commercial load zone - Usage

No person shall stop a commercial vehicle or a vehicle displaying a valid commercial loading permit in a commercial load zone for any purpose or length of time other than for the expeditious unloading and delivery or pickup and loading of property. In no case shall such stopping for loading and/or unloading of commercial products exceed 30 minutes. Said time and loading limitations shall be in effect during the days and times displayed on the traffic signs or marking at the zone.

Section 9. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the City Council; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 22nd day of May, 1989, and signed by me in open session in authentication of its passage this 22nd day of May, 1989.

SAM SMITH,
President of the City Council.

Approved by me this 24th day of May, 1989.

CHARLES ROYER,
Mayor.

Filed by me this 24th day of May, 1989.

Attest: HOWARD J. BROOKS,
City Comptroller and City Clerk.

(Seal) By THERESA DUNBAR,
Deputy Clerk.

Publication ordered by HOWARD J. BROOKS, Comptroller and City Clerk.

Date of official publication in Daily Journal of Commerce, Seattle, June 5, 1989.

(15834)

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